

App. No. 09/788,225
Amendment Dated August 12, 2005
Reply to Office Action of July 11, 2005

REMARKS/ARGUMENTS

An informal Examiner Interview was held on March 3, 2005. During that interview, applicants' attorney and Examiner Luu discussed the patentability of the claims over the prior art. Examiner Luu suggested that the claims further clarify "address" terminology, "flag" terminology, and the association of the address and the transport. Applicants submitted the Response dated March 4, 2005 and ultimately a Request for Continued Examination in order to address Examiner Luu's concerns. The current Office Action suggests that Examiner Luu desires further clarity as to the above. In order to more specifically point out the distinguishing elements of the claims, claims 1, 12, 17 and 19 have been further amended as set forth above. Applicants believe that the above amendments clearly distinguish the cited references. No new matter has been added.

I. Rejection of Claims 1-19 Under 35 U.S.C. §103(a)

Claims 1-19 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,185,603 issued to Henderson et al. (hereinafter "Henderson") in view of U.S. Publication No. 2003/0018720 published to Chang et al. (hereinafter "Chang"). Applicants respectfully disagree with the rejection. There is no suggestion in either of the references that they may be modified in the manner propounded. Moreover, the claims of the present invention include elements that are not taught or otherwise suggested by the aforementioned references. Even though applicants disagree with the rejection, applicants have amended the claims as set forth above to clarify the distinguishing elements of the invention in hopes of expediting this matter.

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Applicants' amended claim 1 specifically recites the following elements that are not taught or otherwise suggested by the cited references:

"receiving data including at least one recipient address that *indicates an address type*"

"for each *address type* in the data,

setting a flag based on the address type, wherein the flag indicates a transport to deliver the message in accordance with the recipient address"

"determining a transport to deliver the message *based on the set flag*"

Applicants assert that the cited references do not teach or otherwise suggest the unique combination of elements as recited in claim 1. As best ascertained from Henderson, Henderson teaches a message that includes an escape sequence. The escape sequence is input into an email message by a user. The escape sequence indicates the presence of an alert message. As best as applicants can tell, Henderson only teaches email messages with the escape sequence. Once the email server receives the message with the escape sequence, an IMP message system retrieves any email messages with an escape sequence. The IMP message server stores the messages in a message queue for the user. Every so often, the queue is sent to a Display Application. Henderson continues by teaching that the output can also be sent to a paging server, a fax server, a voice mail server or a telephony server. Succinctly stated, Henderson teaches an escape sequence input into an email message wherein a portion of the message is copied to an IMP message server and forwarded through one or more communication channels. All the messages in Henderson are sent to an e-mail server. Henderson pertains to a completely different invention than the elements recited in the claims of the present invention.

Chang does not remedy the lack of teaching in Henderson. Chang teaches a message conversion system for converting a message, such as an email into a fax. Chang teaches that a

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subscriber sends an incoming message to a local server using *an email addressing convention*.

The local server then processes the email and extracts the message contents of the email. The extracted contents are converted for delivery in a fax form. Neither Henderson nor Chang teach or otherwise suggest the combination of:

1. receiving data including at least one recipient address that indicates an address type;
2. for each address type in the data, setting a flag based on the address type, wherein the flag indicates a transport to deliver the message in accordance with the recipient address; and
3. determining a transport to deliver the message based on the set flag.

Accordingly, applicants assert that claim 1 is allowable over the cited references.

Applicants' amended claim 12 specifically recites the following elements that are not taught or otherwise suggested by the cited references:

"*an address processor that uses the characters of the at least one address to determine an address type, wherein the address processor indicates the address type by associating a flag with the message, and wherein the flag indicates a candidate transport to deliver the message*"

"*a transport that uses the flag to determine if it should deliver the message, and if so, delivers the message*"

Claim 12 includes some of the same elements recited above in claim 1. For at least the same reasons set forth above in support for claim 1, applicants believe that claim 12 is allowable over the cited references. Applicants' amended claim 17 specifically recites the following elements that are not taught or otherwise suggested by the cited references:

"*means for receiving data including at least one address that identifies an address type*"

"*for each address type in the data,*

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means for setting a flag associated with the address type to indicate the determined transport"

"means for associating the flag with the determined transport"

"means for delivering the message with the determined transport to the at least one address"

Claim 17 includes some of the same elements recited above in claim 1. For at least the same reasons set forth above in support for claim 1, applicants believe that claim 12 is allowable over the cited references. Applicants' amended claim 19 specifically recites the following elements that are not taught or otherwise suggested by the cited references:

"receiving a message including at least one recipient address; wherein the recipient address indicates an address type"

*"for each address,
associating a flag with the message, wherein the flag indicates at least one transport to deliver the message in accordance with the address type"*

"notifying the at least one transport that the message is ready for delivery"

"determining, from the flag, the at least one transport to deliver the message"

"sending the message using the transport determined from the flag"

"clearing the flag to indicate the sending of the message by the at least one transport"

Claim 19 includes some of the same elements recited above in claim 1. For at least the same reasons set forth above in support for claim 1, applicants believe that claim 12 is allowable over the cited references. Moreover, claim 19 recites "notifying the at least one transport that the message is ready for delivery" and clearing the flag to indicate the sending of the message by the

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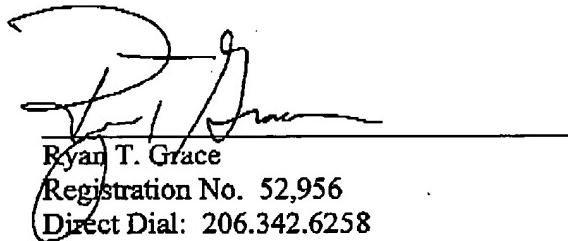
at least one transport. Applicants can find no teaching of the above elements in the cited references. Accordingly, applicants believe that claim 19 should be found allowable.

Claims 3-11, 13, 15-16 and 18 are dependent claims, which ultimately depend from independent claims 1, 12 and 17, respectively. Applicants assert that the limitations of claims 3-11, 13, 15-16 and 18 are not taught or otherwise suggested by the cited art. Furthermore, insofar as claims 3-11, 13, 15-16 and 18 depend from claims 1, 12 and 17 the same are thought to be allowable for at least the same reasons set forth above.

In view of the foregoing amendments and remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicants at the telephone number provided below.

Respectfully submitted,

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